



PATENT
3781-0102P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Christopher Meyers Conf.: 7350
Appl. No.: 10/055,749 Group: 1651
Filed: January 22, 2002 Examiner: SANDRA SAUCIER
For: METHOD FOR THE TREATMENT OF
MICROORGANISM INFECTIONS BY INHIBITING
ENERGY STORAGE AND UTILIZATION

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 20, 2003

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ This application was filed on or after June 30, 2003. Accordingly, copies of cited US patents and patent application publications therefore are not included. Copies of foreign

patent documents and non-patent literature are included.

- c. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

- b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

- c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEEES

IV. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☒ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
or
- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☒ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☐ No fee is required.

Appl. No. 10/055,749

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #47,604
for Leonard R. Svensson, #30,330

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Falls Church, VA 22040-0747
(703) 205-8000


LRS/SWG/sbp
3781-0102P

Attachment(s): ☒ PTO-1449
☒ Documents
☐ Foreign Search Report
☒ Fee
☐ Other:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: August 20, 2003
(Date of Deposit)

(Rev. 08/14/03)

BIRCH, STEWART, KOLASCH & BIRCH, LLP


(Signature)
August 20, 2003
(Date of Signature)



Examination No. 1449	3781-0102P	10/055,749
	Christofer MEYERS	
	January 22, 2002	1651

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(See serial, number of the primary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	OTHER CLASS	FILING DATE OF APPLICATION
	US 5,349,123		1994-03-10	Shewmaker et al.			
	US 5,593,847		1997-01-14	Wong et al.			
	US 5,461,143		1995-10-14	Wong et al.			
	US 4,190,445		1983-02-16	Curtiss, III			
	US 5,684,144		1997-11-04	Romes			
	US 5,753,483		1998-05-19	Elkein			
	US 5,759,823		1998-06-02	Wong et al.			
	US 5,770,497		1998-06-13	Wong et al.			
	US 5,824,790		1998-10-10	Keeling			
	US 5,938,932		1999-07-17	Jarvis et al.			

FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	OTHER CLASS	TRANSLATION	
								YES	NO

OTHER DOCUMENTS

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published)

MILLER, JEFFREY H., "Experiments in molecular genetics," Cold Spring Harbor Laboratory 1972, pp. 31-34.
LIN, JINJIAI et al., "Synthesis of a boron analogue...", Tetrahedron Letters 41, 2000, pp. 6701-6704.
INGLESIA, ALBERTO A. et al., "Bacterial glycogen and plant starch biosynthesis," Biochemical Education 25(4), 1992, pp. 196-203.
PREISS, JACK "ADP-glucose pyrophosphorylase: basic science and applications in biotechnology," pp.253-279.

EXAMINER	DATE RECEIVED
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FORM PTO 1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>Use several sheets if necessary</small>	APP. NUMBER 3781-0102P	DISCLOSURE NO. 10/055,749
	APPLICANT Christopher MEYER	
	FILING DATE January 22, 2002	GROW 1651

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 6,057,493		2000-05-01	Willmitzer et al.			
	US 6,143,539		2000-11-07	Kiy			
	US 6,168,934		2001-01-07	Wong et al.			
	US 5,969,214		1999-10-19	Stalker et al.			
	US 5,871,951		1999-02-17	Weiser			
	US						
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FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO

OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

	NCBI Accession No. CAB89282, GI: 7671537, 29 April 2000
	NCBI Accession No. 008326, GI:281060, 30 May 2000
	NCBI Accession No. P39669, GI:729581, 15 December 1998
	NCBI Accession No. AAK02627, GI:1270807, 08 March 2001

EXAMINER	DATE CONSIDERED
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EXAMINER: It is the duty of the examiner to consider whether the information is of sufficient value to be included in the file for the purpose of the examination of the application and to consider, in the light of the prior art, the information is of sufficient value to be included in the file for the purpose of the examination of the application.



Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(See several sheets if necessary)

3781-0102P

10/055,749

Applicant
Christopher MEYERFiling Date
January 22, 2002Serial
1651**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US						
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FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO

OTHER DOCUMENTS

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

	Abstract - SHARMA et al., "Structure of isocitrate lyase, a persistence factor of Mycobacterium tuberculosis" Vol. 7, No. 8, August 2000, pp. 663-668
	PONT, Danni "Carbohydrate Metabolism", Biochemistry: Molecular Basis of disease, Biology 304", March 26, 2001, pp. 1-2

EXAMINER	DATE CONSIDERED
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EXAMINER: Division of Intellectual Property, Patent & Trademark Office, U.S. Department of Commerce, Washington, DC 20514-0001. (See instructions on the back of this form.)